

TOWN OF ASHBURNHAM
ZONING BOARD OF APPEALS
CENTER MEETING ROOM – TOWN HALL
March 12, 2014

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Present – Acting Chairman Terry Girouard, Mark Carlisle, Acting Clerk Rich Archer and Cheryl Anderson

Absent: Joseph Daigle

Special Permit Hearing #14-02

1. Terry opens meeting/hearing at 7:33 PM
 - a.) Terry introduces the ZBA Board
 - b.) Terry explains “Four Member Board” ramifications
 - c.) Dave Perry recused himself from hearing due to conflict since he is one of the property owners at 180 Center Street Ashburnham, MA.
 - d.) Terry explains hearing process
2. Charles Bergeron explains need for special use permit
3. Terry enters letter from Fire Chief Paul J. Zbikowski (Exhibit 1)
4. Further discussion
5. Mark would like to clarify hours of operation
 - A.) Charles Bergeron would like 8:00 am to 9:00 pm seven days a week
6. Terry would like to clarify if there will be any repair work done at location of business
 - A.) Charles states all repairs will be done at a different garage.
7. Further discussion on Sunday hours
 - A.) Charles Bergeron states 9:00 am to 9:00 pm is acceptable
8. Cheryl would like to make sure fence continues to be maintained
9. Terry closes hearing
 - A.) Explains rules of appeal time etc...
 - B.) Explains deliberation process
10. Cheryl makes motion to go into deliberations
 - A.) Mark seconded the motion
11. Terry made a finding that a special permit may be sought
 - A.) Cheryl seconded the motion
12. Mark makes motion to grant special permit with conditions.
 - A.) Cheryl seconded the motion
13. Conditions:
 - A.) Fence to be maintained
 - B.) Hours of operation Monday 8:00 am to 9:00 pm (Sales and Towing)
 - 1.) Monday thru Saturday 8:00 am to 9:00 pm
 - 2.) Sunday 9:00 am to 9:00 pm
 - C.) No more than twenty (20) cars at any time
 - D.) No auto repair on site

- E.) The special permit shall be in force as long as Charles Bergeron is the owner of the business. (Charley's Towing & Recovery) Continuation of the business under a new ownership is subject to a new special permit hearing.
- F.) **No auto body or mechanical repairs** shall be part of the business. Routine prep work such as auto detailing is allowed. (Some other examples of routine prep work would be washing, polishing, cleaning interior, etc...)

14. The vote by the Board was unanimous to grant the special permit with conditions.

Mark made a motion to adjourn the meeting

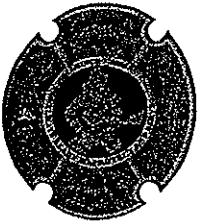
Cheryl seconded the motion

All ZBA Members present voted unanimously to adjourn at 8:25 PM

Respectfully submitted,

Rich Archer,
Acting Clerk

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TOWN OF ASHBURNHAM
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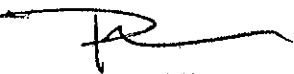
February 10, 2014

Leo Janssens, Chairman of the Board
Board of Selectmen
32 Main St.
Ashburnham, MA 01430

Dear Chairman Janssens,

I am writing with regard to the request by Mr. Charles Bergeron, for a used car dealer license to be operated at the 180 Center St. location. Having met with Commissioner Reynolds this morning it is our understanding that the business will operate in the same manner as the prior dealership, D.J.'s Classic Cars. We are therefore in agreement and see no reason why the Board of Selectmen should not grant the license. Should you have any questions please do not hesitate to contact me.

Respectfully,


Paul J. Zbikowski
Fire Chief

c.c. Commissioner Reynolds
Captain Rekos
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